

ORDINANCE NO. 209

AN ORDINANCE OF THE CITY OF BEE CAVE, TEXAS ("CITY") AMENDING THE ZONING OF REAL PROPERTY, IN CONFORMANCE WITH THE CITY OF BEE CAVE COMPREHENSIVE PLAN FROM CURRENT ZONING FROM AGRICULTURAL DISTRICT TO PUBLIC FOR 44 ACRES OF LAND SITUATED IN THE JAMES G. SWISHER SURVEY NO. 152, THE STEPHEN S. JARBOE SURVEY NO. 498 AND THE D. BOHLS SURVEY NO. 905, IN TRAVIS COUNTY, TEXAS; AND FROM AGRICULTURAL DISTRICT TO SINGLE-FAMILY RURAL RESIDENTIAL FOR 3.30 ACRES OF LAND, RECORDED IN VOLUME 13325, PAGE 2020 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND WHICH LAND IS MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR FINDINGS OF FACT, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Bee Cave is lawfully incorporated as a Home-Rule municipality and the City Council is the governing body of the City; and,

WHEREAS, the City Council seeks to provide for the orderly development of land and use of property within its corporate limits; and,

WHEREAS, the City is empowered by Section 211.005 (Districts) of the Texas Local Government Code to divide the municipality into districts of a number, shape, and size the City Council considers best for carrying out the zoning purposes under state law; and within each district, the City Council may regulate the erection, construction, reconstruction, alteration, repair, or use of buildings, other structures, or land; and,

WHEREAS, the zoning regulations must be uniform for each class or kind of building in a district, but the regulations may vary from district to district; and shall be adopted with reasonable consideration, among other things, for the character of each district and its peculiar suitability for particular uses, with a view of conserving the value of buildings and encouraging the most appropriate use of land in the municipality; and,

WHEREAS, the City recognizes its responsibility and authority to impose ordinances and controls that are necessary for the government of the City, its interest, welfare, and good order of the City as a body politic; and

WHEREAS, pursuant to the City of Bee Cave Code of Ordinances, Chapter 32, "Zoning," section 32.03.002, territory that has been newly annexed into the City is initially zoned as Agriculture, and it is anticipated that agriculture zoned land will eventually be rezoned to another more permanent, urban zoning classification in the future; and

WHEREAS, section 32.03.014 of the Zoning Ordinance provides that a Public Use District is intended to accommodate uses of a governmental, civic, public service, or public institutional nature, including major public facilities; and

WHEREAS, section 32.03.003 of the Zoning Ordinance provides that the purpose of a Single-Family Rural Residential District is to provide for development of primarily very low density detached, single-family residences on lots of not less than one acre; and

WHEREAS, the City of Bee Cave Comprehensive Plan ("Comprehensive Plan"), Section Eight, Future Land Use Plan provides that it shall serve as a guide for future land use patterns and all aspects of the Comprehensive Plan "are implemented primarily through development regulations (zoning and subdivision ordinances)"; and

WHEREAS, re-designating the zoning classification of the subject properties described herein will protect the integrity and continuity of the Comprehensive Plan and such proposed land uses are consistent with the Comprehensive Plan and current land uses associated with the subject properties ; and

WHEREAS, the City of Bee Cave Planning and Zoning Commission and the City of Bee Cave City Council ("City Council"), in compliance with the City of Bee Cave Code of Ordinances section 32.02.004, Texas Local Government Code section 211.006(a), et seq., and all applicable laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held two public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council is of the opinion and finds that zoning changes as described herein should be granted and that the Comprehensive Zoning Ordinance and Map should be amended as set forth herein; and

WHEREAS, any protest made against the proposed changes of Zoning Classification has been duly considered by the City Council; and

WHEREAS, the Planning and Zoning Commission and the City Council find that re-designating the real property described is prudent and, in accordance with Texas Local Government Code section 211.004(a)(3), will promote the health and general welfare of the City of Bee Cave and its citizens;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEE CAVE, TEXAS:

SECTION 1. Findings of Fact. All of the above premises are hereby found to be true and correct legislative and factual findings of the City and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Amendment. That the City Zoning Ordinance and Map of the City of Bee Cave, Texas, be and the same are hereby, amended so as to grant a change of zoning for the real property hereinafter described, and more specifically described in Exhibit "A," attached hereto:

- From Agricultural District to Public for 44 acres of land situated in the James G. Swisher Survey No. 152, the Stephen S. Jarboe Survey No. 498 and the D. Bohls Survey No. 905, in Travis County, Texas. Said 44 acres is generally located north of Highway 71 and east of the Uplands Subdivision. The land is Nature Conservancy land.
- From Agricultural District to Single-Family Rural Residential for 3.30 acres of land, recorded in Volume 13325, Page 2020 of the Real Property Records of Travis County, Texas.

SECTION 3. Severability. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjusted or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of Chapter 32, Zoning, of the City of Bee Cave Code of Ordinances and Map as a whole.

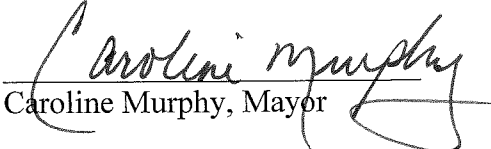
SECTION 4: Repealer. All ordinances or parts of ordinances in force when the provisions of this Ordinance becomes effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

SECTION 5. Notice and Meeting Clause. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.


SECTION 6. Effective Date. That this Ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED by the City Council of the City of Bee Cave, Texas, on the 26th day of August, 2014.

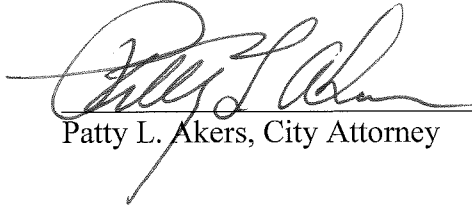
CITY OF BEE CAVE, TEXAS


Caroline Murphy, Mayor

ATTEST:


Kaylynn Holloway, City Secretary

APPROVED AS TO FORM:



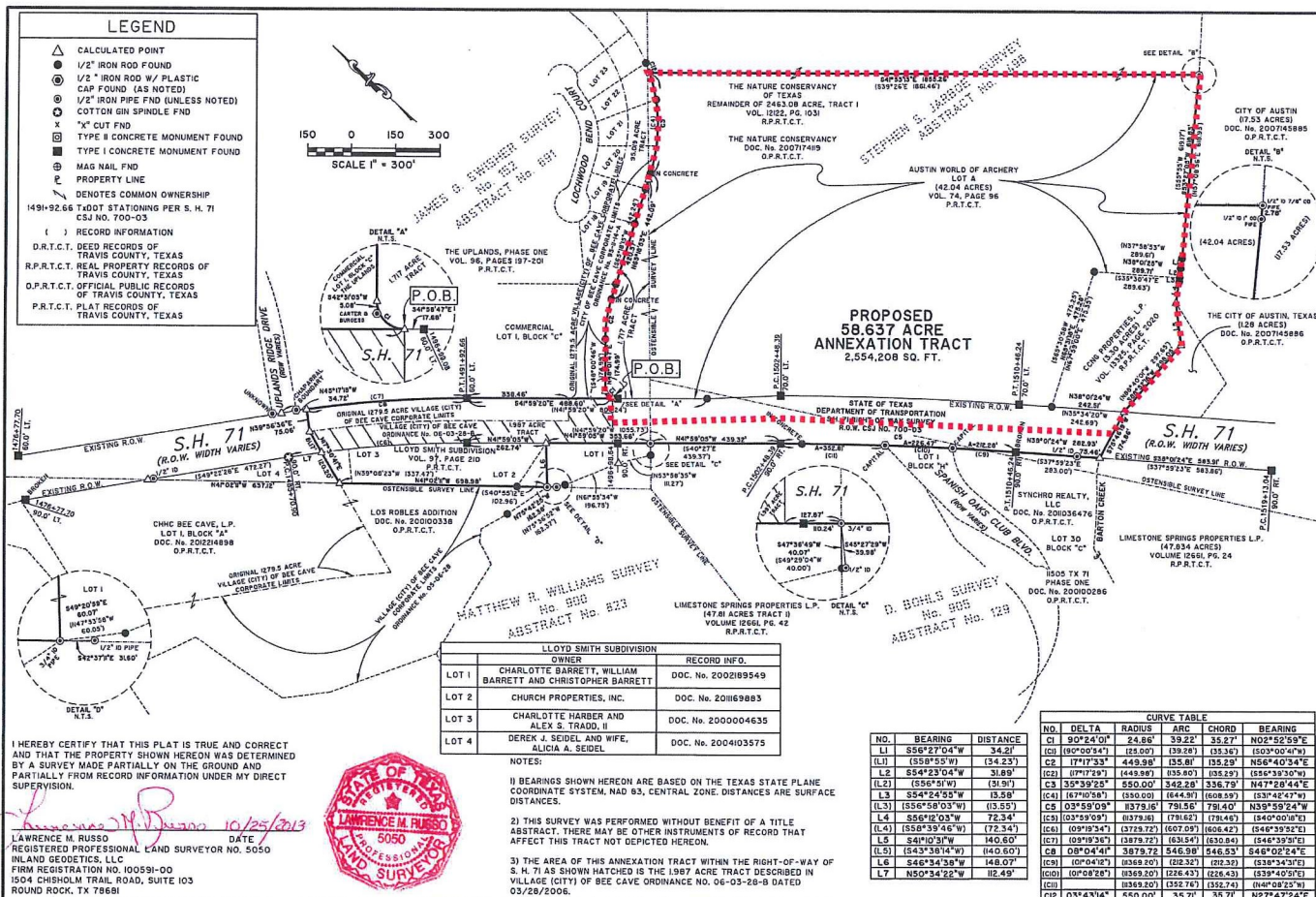
Patty L. Akers, City Attorney

Exhibit "A"

Property Description

- From Agricultural District to Public for 44 acres of land situated in the James G. Swisher Survey No. 152, the Stephen S. Jarboe Survey No. 498 and the D. Bohls Survey No. 905, in Travis County, Texas. Said 44 acres is generally located north of Highway 71 and east of the Uplands Subdivision. The land is Nature Conservancy land.
- From Agricultural District to Single-Family Rural Residential for 3.30 acres of land, recorded in Volume 13325, Page 2020 of the Real Property Records of Travis County, Texas.

- △ CALCULATED POINT
- 1/2" IRON ROD FND
- ⊗ 1/2" IRON ROD W/ PLASTIC
- ⊕ CAP FOUND (AS NOTED)
- ⊖ IRON PIPE FND (UNLESS NOTED)
- ⊙ COTTON GIN SPINDLE FND
- x "X" CUT FND
- TYPE I CONCRETE MONUMENT FOUND
- TYPE I CONCRETE MONUMENT FOUND
- MAG NAIL FND
- ℙ PROPERTY LINE
- DENOTES COMMON OWNERSHIP
- TADOT STATING PER S. H. 71
- TADOT NO. 00-03
- () RECORD INFORMATION
- R.T.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS
- R.T.C.T. REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
- R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- R.T.C.T. PLAT RECORDS OF TRAVIS COUNTY, TEXAS



LLOYD SMITH SUBDIVISION		
	OWNER	RECORD INFO.
LOT 1	CHARLOTTE BARRETT, WILLIAM BARRETT AND CHRISTOPHER BARRETT	DOC. No. 2002189549
LOT 2	CHURCH PROPERTIES, INC.	DOC. No. 201169803
LOT 3	CHARLOTTE HARBER AND ALEX S. TRADD, II	DOC. No. 2000004635
LOT 4	DEREK J. SEIDEL AND WIFE,	DOC. No. 2004103575

NOTES:

I) BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, CENTRAL ZONE. DISTANCES ARE SURFACE

2) THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE ABSTRACT. THERE MAY BE OTHER INSTRUMENTS OF RECORD THAT AFFECT THIS TRACT NOT DEPICTED HEREON.

3) THE AREA OF THIS ANNEXATION TRACT WITHIN THE RIGHT-OF-WAY OF S. H. 71 AS SHOWN HATCHED IS THE 1.987 ACRE TRACT DESCRIBED IN VILLAGE (CITY) OF BEE CAVE ORDINANCE NO. 06-03-28-B DATED 03/28/2006.

NO.	BEARING	DISTANCE
(L1)	S56°27'04"W	34.21'
(L2)	(S58°55'W)	(34.23')
(L3)	S54°23'04"W	31.89'
(L4)	(S56°51"W)	(31.91')
(L5)	S54°24'55"W	13.58'
(L6)	(S56°58'03"W)	(13.55')
(L7)	S46°12'03"W	72.34'
(L8)	(S58°39'46"W)	(72.34')
(L9)	S41°10'31"W	140.60'
(L10)	(S43°38'14"W)	(140.60')
(L11)	S46°34'38"W	148.07'
(L12)	N50°34'22"W	112.49'

CURVE TABLE					
NO.	DELTA	RADIUS	ARC	CHORD	BEARING
CI	90°24'0"	24.86"	39.22"	35.27"	102°52'59"
[C1]	(90°09'04")	(25.00")	(39.28")	(35.34")	(102°04'00")
[C2]	(89°53'28")	(25.14")	(39.34")	(35.40")	(101°15'04")
[C3]	(89°37'28")	(24.98")	(39.30")	(35.32")	(100°26'08")
[C4]	(89°21'28")	(25.00")	(39.28")	(35.36")	(99°37'12")
[C5]	(88°55'28")	(25.00")	(39.28")	(35.36")	(98°48'16")
[C6]	(88°29'28")	(25.00")	(39.28")	(35.36")	(97°59'20")
[C7]	(88°03'28")	(25.00")	(39.28")	(35.36")	(97°10'24")
[C8]	(87°37'28")	(25.00")	(39.28")	(35.36")	(96°21'28")
[C9]	(87°11'28")	(25.00")	(39.28")	(35.36")	(95°32'32")
[C10]	(86°45'28")	(25.00")	(39.28")	(35.36")	(94°43'36")
[C11]	(86°19'28")	(25.00")	(39.28")	(35.36")	(93°54'40")
[C12]	(85°53'28")	(25.00")	(39.28")	(35.36")	(93°05'44")
[C13]	(85°27'28")	(25.00")	(39.28")	(35.36")	(92°16'48")
[C14]	(85°01'28")	(25.00")	(39.28")	(35.36")	(91°27'52")
[C15]	(84°35'28")	(25.00")	(39.28")	(35.36")	(90°38'56")
[C16]	(84°09'28")	(25.00")	(39.28")	(35.36")	(89°49'60")
[C17]	(83°43'28")	(25.00")	(39.28")	(35.36")	(88°60'04")
[C18]	(83°17'28")	(25.00")	(39.28")	(35.36")	(87°11'08")
[C19]	(82°51'28")	(25.00")	(39.28")	(35.36")	(86°22'12")
[C20]	(82°25'28")	(25.00")	(39.28")	(35.36")	(85°33'16")
[C21]	(81°59'28")	(25.00")	(39.28")	(35.36")	(84°44'20")
[C22]	(81°33'28")	(25.00")	(39.28")	(35.36")	(83°55'24")
[C23]	(81°07'28")	(25.00")	(39.28")	(35.36")	(83°06'28")
[C24]	(80°41'28")	(25.00")	(39.28")	(35.36")	(82°17'32")
[C25]	(80°15'28")	(25.00")	(39.28")	(35.36")	(81°28'36")
[C26]	(80°08'28")	(25.00")	(39.28")	(35.36")	(81°00'00")
[C27]	(80°00'00")	(25.00")	(39.28")	(35.36")	(80°00'00")
[C28]	(79°51'56")	(25.00")	(39.28")	(35.36")	(79°51'56")
[C29]	(79°43'44")	(25.00")	(39.28")	(35.36")	(79°43'44")
[C30]	(79°35'32")	(25.00")	(39.28")	(35.36")	(79°35'32")
[C31]	(79°27'20")	(25.00")	(39.28")	(35.36")	(79°27'20")
[C32]	(79°19'08")	(25.00")	(39.28")	(35.36")	(79°19'08")
[C33]	(79°10'56")	(25.00")	(39.28")	(35.36")	(79°10'56")
[C34]	(79°02'44")	(25.00")	(39.28")	(35.36")	(79°02'44")
[C35]	(78°54'32")	(25.00")	(39.28")	(35.36")	(78°54'32")
[C36]	(78°46'20")	(25.00")	(39.28")	(35.36")	(78°46'20")
[C37]	(78°38'08")	(25.00")	(39.28")	(35.36")	(78°38'08")
[C38]	(78°29'56")	(25.00")	(39.28")	(35.36")	(78°29'56")
[C39]	(78°21'44")	(25.00")	(39.28")	(35.36")	(78°21'44")
[C40]	(78°13'32")	(25.00")	(39.28")	(35.36")	(78°13'32")
[C41]	(78°05'20")	(25.00")	(39.28")	(35.36")	(78°05'20")
[C42]	(77°57'08")	(25.00")	(39.28")	(35.36")	(77°57'08")
[C43]	(77°48'56")	(25.00")	(39.28")	(35.36")	(77°48'56")
[C44]	(77°40'44")	(25.00")	(39.28")	(35.36")	(77°40'44")
[C45]	(77°32'32")	(25.00")	(39.28")	(35.36")	(77°32'32")
[C46]	(77°24'20")	(25.00")	(39.28")	(35.36")	(77°24'20")
[C47]	(77°16'08")	(25.00")	(39.28")	(35.36")	(77°16'08")
[C48]	(77°07'56")	(25.00")	(39.28")	(35.36")	(77°07'56")
[C49]	(77°00'00")	(25.00")	(39.28")	(35.36")	(77°00'00")
[C50]	(76°51'56")	(25.00")	(39.28")	(35.36")	(76°51'56")
[C51]	(76°43'44")	(25.00")	(39.28")	(35.36")	(76°43'44")
[C52]	(76°35'32")	(25.00")	(39.28")	(35.36")	(76°35'32")
[C53]	(76°27'20")	(25.00")	(39.28")	(35.36")	(76°27'20")
[C54]	(76°19'08")	(25.00")	(39.28")	(35.36")	(76°19'08")
[C55]	(76°10'56")	(25.00")	(39.28")	(35.36")	(76°10'56")
[C56]	(76°02'44")	(25.00")	(39.28")	(35.36")	(76°02'44")
[C57]	(75°54'32")	(25.00")	(39.28")	(35.36")	(75°54'32")
[C58]	(75°46'20")	(25.00")	(39.28")	(35.36")	(75°46'20")
[C59]	(75°38'08")	(25.00")	(39.28")	(35.36")	(75°38'08")
[C60]	(75°29'56")	(25.00")	(39.28")	(35.36")	(75°29'56")
[C61]	(75°21'44")	(25.00")	(39.28")	(35.36")	(75°21'44")
[C62]	(75°13'32")	(25.00")	(39.28")	(35.36")	(75°13'32")
[C63]	(75°05'20")	(25.00")	(39.28")	(35.36")	(75°05'20")
[C64]	(75°00'00")	(25.00")	(39.28")	(35.36")	(75°00'00")
[C65]	(74°51'56")	(25.00")	(39.28")	(35.36")	(74°51'56")
[C66]	(74°43'44")	(25.00")	(39.28")	(35.36")	(74°43'44")
[C67]	(74°35'32")	(25.00")	(39.28")	(35.36")	(74°35'32")
[C68]	(74°27'20")	(25.00")	(39.28")	(35.36")	(74°27'20")
[C69]	(74°19'08")	(25.00")	(39.28")	(35.36")	(74°19'08")
[C70]	(74°10'56")	(25.00")	(39.28")	(35.36")	(74°10'56")
[C71]	(74°02'44")	(25.00")	(39.28")	(35.36")	(74°02'44")
[C72]	(73°54'32")	(25.00")	(39.28")	(35.36")	(73°54'32")
[C73]	(73°46'20")	(25.00")	(39.28")	(35.36")	(73°46'20")
[C74]	(73°38'08")	(25.00")	(39.28")	(35.36")	(73°38'08")
[C75]	(73°29'56")	(25.00")	(39.28")	(35.36")	(73°29'56")
[C76]	(73°21'44")	(25.00")	(39.28")	(35.36")	(73°21'44")
[C77]	(73°13'32")	(25.00")	(39.28")	(35.36")	(73°13'32")
[C78]	(73°05'20")	(25.00")	(39.28")	(35.36")	(73°05'20")
[C79]	(73°00'00")	(25.00")	(39.28")	(35.36")	(73°00'00")
[C80]	(72°51'56")	(25.00")	(39.28")	(35.36")	(72°51'56")
[C81]	(72°43'44")	(25.00")	(39.28")	(35.36")	(72°43'44")
[C82]	(72°35'32")	(25.00")	(39.28")	(35.36")	(72°35'32")
[C83]	(72°27'20")	(25.00")	(39.28")	(35.36")	(72°27'20")
[C84]	(72°19'08")	(25.00")	(39.28")	(35.36")	(72°19'08")
[C85]	(72°10'56")	(25.00")	(39.28")	(35.36")	(72°10'56")
[C86]	(72°02'44")	(25.00")	(39.28")	(35.36")	(72°02'44")
[C87]	(71°54'32")	(25.00")	(39.28")	(35.36")	(71°54'32")
[C88]	(71°46'20")	(25.00")	(39.28")	(35.36")	(71°46'20")
[C89]	(71°38'08")	(25.00")	(39.28")	(35.36")	(71°38'08")
[C90]	(71°29'56")	(25.00")	(39.28")	(35.36")	(71°29'56")
[C91]	(71°21'44")	(25.00")	(39.28")	(35.36")	(71°21'44")
[C92]	(71°13'32")	(25.00")	(39.28")	(35.36")	(71°13'32")
[C93]	(71°05'20")	(25.00")	(39.28")	(35.36")	(71°05'20")
[C94]	(71°00'00")	(25.00")	(39.28")	(35.36")	(71°00'00")
[C95]	(70°51'56")	(25.00")	(39.28")	(35.36")	(70°51'56")
[C96]	(70°43'44")	(25.00")	(39.28")	(35.36")	(70°43'44")
[C97]	(70°35'32")	(25.00")	(39.28")	(35.36")	(70°35'32")
[C98]	(70°27'20")	(25.00")	(39.28")	(35.36")	(70°27'20")
[C99]	(70°19'08")	(25.00")	(39.28")	(35.36")	(70°19'08")
[C100]	(70°10'56")	(25.00")	(39.28")	(35.36")	(70°10'56")

CITY OF BEE CAVE, TEXAS
ANNEXATION PARCEL 1D
58.637 ACRE
2,554,208 SQUARE FEET

**INLAND
GEODETTICS**
PROFESSIONAL LAND SURVEYORS
1504 CHISHOLM TRAIL RD. STE. 103
ROUND ROCK, TX. 78681
714-333-3333